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Amendment
Attorney Docket No. S63.2A-9285-US01

Remarks

This Amendment is in response to the Office Action dated June 28, 2005, wherein the specification was objected to; claims 1, 4, and 6 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. 6,221,043 to Fischell et al (Fischell); claims 3 and 9 were rejected under 35 U.S.C. §103(a) as being obvious over Fischell; claims 12-21 were allowed; and claims 5, 7, and 8 were objected to as being dependent on a rejected base claim but otherwise allowable.

In paragraph 2 of the Office Action the specification was objected to and the Examiner required that the recitation of "polyether-block polyamide polymer", and "polyester-polyether block copolymer", in claims 9 and 19 be added to the specification.

As indicated above, the specification has been amended to include the recitation of the base chemicals used in the described trademarked products of PEBAX™ and ARNITEL™ respectively. The amendment to the specification (as well as the earlier amendment to the claims) adds the chemical name to the recited trademarked products and does not constitute new matter. One of ordinary skill will recognize that the recited chemicals are sold under the trade names of the PEBAX™ and ARNITEL™ respectively.

In paragraph 3 of the Office Action the specification was objected to and the Examiner required that the recitation of "the middle portion diameter being between about .1-.25 mm greater than the first end portion diameter and the second end portion diameter" be added to the specification.

In response Applicant assumes the Examiner is referring to claim 3 and is asserting that the recitation of this original claim is not present in the specification as originally filed. Applicants assert however, that the claim is fully supported by the description provided at lines 24-29, of page 6, of the Application as originally filed.

Applicant did however substantially copy the language of original claim 14 in to the description.

In regards to the various §102 and §103 rejections presented in the Office Action based on Fischell, Applicant does not believe that Fischell anticipates or renders obvious any of the claims of the present Application. In an effort to further prosecution however, Applicant has

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amended claim 1 to include all of the elements of claim 7 and intervening claim 6 as well. As a result claim 1 and all claims dependent therefrom are in condition for allowance. Claims 6 and 7 are cancelled without prejudice or disclaimer. Claim 8 has been amended to depend from claim 1. Claims 12-21 are allowed.

Conclusion

Based on at least the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1, 3, 5, 8, 9 and 12-21 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: 9/27/07

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